

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend _____ Senate Bill No. 997, Page 1, Section A, Line 3,

by inserting immediately after said line the following:

"173.234. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) "Board", the coordinating board for higher education;

(2) "Books", any books required for any course for which tuition was paid by a grant awarded under this section;

(3) "Eligible student", the natural, adopted, or stepchild of a qualifying military member, who is less than twenty-five years of age and who was a dependent of a qualifying military member at the time of death or injury or within five years subsequent to the injury, or the spouse of a qualifying military member which was the spouse of a veteran at the time of death or injury or within five years subsequent to the injury;

(4) "Grant", the veteran's survivors grant as established in this section;

(5) "Institution of postsecondary education", any approved Missouri public institution of postsecondary education, as defined in subdivision (3) of section 173.1102;

(6) "Qualifying military member", any member of the military of the United States, whether active duty, reserve, or National Guard, who served in the military after September 11,

1 2001, during time of war and for whom the following criteria
2 apply:

3 (a) A veteran was a Missouri resident when first entering
4 the military service or at the time of death or injury;

5 (b) A veteran died or was injured as a result of combat
6 action or a veteran's death or injury was certified by the
7 Department of Veterans' Affairs medical authority to be
8 attributable to an illness or accident that occurred while
9 serving in combat, or became eighty percent disabled as a result
10 of injuries or accidents sustained in combat action after
11 September 11, 2001; and

12 (c) "Combat veteran", a Missouri resident who is discharged
13 for active duty service having served since September 11, 2001,
14 and received a DD214 in a geographic area entitled to receive
15 combat pay tax exclusion exemption, hazardous duty pay, or
16 imminent danger pay, or hostile fire pay;

17 (7) "Survivor", an eligible student of a qualifying
18 military member;

19 (8) "Tuition", any tuition or incidental fee, or both,
20 charged by an institution of postsecondary education for
21 attendance at the institution by a student as a resident of this
22 state. The tuition grant shall not exceed the amount of tuition
23 charged a Missouri resident at the University of
24 Missouri-Columbia for attendance.

25 2. Within the limits of the amounts appropriated therefor,
26 the coordinating board for higher education shall award annually
27 up to twenty-five grants to survivors of qualifying military
28 members to attend institutions of postsecondary education in this
29 state, which shall continue to be awarded annually to eligible

1 recipients as long as the recipient achieves and maintains a
2 cumulative grade point average of at least two and one-half on a
3 four-point scale, or its equivalent. If the waiting list of
4 eligible survivors exceeds fifty, the coordinating board may
5 petition the general assembly to expand the quota. If the quota
6 is not expanded, then the eligibility of survivors on the waiting
7 list shall be extended.

8 3. A survivor may receive a grant under this section only
9 so long as the survivor is enrolled in a program leading to a
10 certificate, or an associate or baccalaureate degree. In no
11 event shall a survivor receive a grant beyond the completion of
12 the first baccalaureate degree, regardless of age.

13 4. The coordinating board for higher education shall:

14 (1) Promulgate all necessary rules and regulations for the
15 implementation of this section; and

16 (2) Provide the forms and determine the procedures
17 necessary for a survivor to apply for and receive a grant under
18 this section.

19 5. Any rule or portion of a rule, as that term is defined
20 in section 536.010, that is created under the authority delegated
21 in this section shall become effective only if it complies with
22 and is subject to all of the provisions of chapter 536 and, if
23 applicable, section 536.028. This section and chapter 536 are
24 nonseverable and if any of the powers vested with the general
25 assembly pursuant to chapter 536 to review, to delay the
26 effective date, or to disapprove and annul a rule are
27 subsequently held unconstitutional, then the grant of rulemaking
28 authority and any rule proposed or adopted after August 28, 2008,
29 shall be invalid and void.

1 6. In order to be eligible to receive a grant under this
2 section, a survivor shall be certified as eligible by the
3 Missouri veterans' commission.

4 7. A survivor who is enrolled or has been accepted for
5 enrollment as an undergraduate postsecondary student at an
6 approved institution of postsecondary education, and who is
7 selected to receive a grant under this section, shall receive the
8 following:

9 (1) An amount not to exceed the actual tuition charged at
10 the approved institution of postsecondary education where the
11 survivor is enrolled or accepted for enrollment;

12 (2) An allowance of up to two thousand dollars per semester
13 for room and board; and

14 (3) The actual cost of books, up to a maximum of five
15 hundred dollars per semester.

16 8. A survivor who is a recipient of a grant may transfer
17 from one approved public institution of postsecondary education
18 to another without losing his or her entitlement under this
19 section. The board shall make necessary adjustments in the
20 amount of the grant. If a grant recipient at any time withdraws
21 from the institution of postsecondary education so that under the
22 rules and regulations of that institution he or she is entitled
23 to a refund of any tuition, fees, room and board, books, or other
24 charges, the institution shall pay the portion of the refund to
25 which he or she is entitled attributable to the grant for that
26 semester or similar grading period to the board.

27 9. If a survivor is granted financial assistance under any
28 other student aid program, public or private, the full amount of
29 such aid shall be reported to the board by the institution and

1 the eligible survivor.

2 10. Nothing in this section shall be construed as a promise
3 or guarantee that a person will be admitted to an institution of
4 postsecondary education or to a particular institution of
5 postsecondary education, will be allowed to continue to attend an
6 institution of postsecondary education after having been
7 admitted, or will be graduated from an institution of
8 postsecondary education.

9 11. The benefits conferred by this section shall be
10 available to any academically eligible student of a qualifying
11 military member. Surviving children who are eligible shall be
12 permitted to apply for full benefits conferred by this section
13 until they reach twenty-five years of age.

14 12. Pursuant to section 23.253 of the Missouri sunset act:

15 (1) The provisions of the new program authorized under this
16 section shall [sunset automatically six years after August 28,
17 2008] be reauthorized as of the effective date of this act and
18 shall expire on August 28, 2020, unless reauthorized by an act of
19 the general assembly; and

20 (2) If such program is reauthorized, the program authorized
21 under this section shall sunset automatically twelve years after
22 the effective date of the reauthorization of this section; and

23 (3) This section shall terminate on September first of the
24 calendar year immediately following the calendar year in which
25 the program authorized under this section is sunset."; and

26 Further amend said bill, page 6, section 173.2520, line 17,
27 by inserting immediately after said line the following:

28 "Section B. Because of the importance of providing
29 educational assistance to members of the military and their

1 families, the repeal and reenactment of section 173.234 of this
2 act is deemed necessary for the immediate preservation of the
3 public health, welfare, peace, and safety, and is hereby declared
4 to be an emergency act within the meaning of the constitution,
5 and the repeal and reenactment of section 173.234 of this act
6 shall be in full force and effect upon its passage and
7 approval."; and

8 Further amend the title and enacting clause accordingly.
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